IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

S. B. CIVIL WRIT PETITION NO.6639/2007.

Sanif Khan
Vs.
District Collector Jhunjhunu and ors.

Date of order: 29/08/2007

HON'BLE MR. JUSTICE MOHAMMAD RAFIQ

Shri Pyarelal and
Shri Sanjeev Kumar Mahala for the petitioner.

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BY THE COURT:-

Heard learned counsel for the petitioner.

2) The petitioner in this writ petition has raised grievance that Gram Panchayat Tai, P.S. Alsisar, District Jhunjhunu at the instance of respondent No.3 who is husband of Smt.Daulta Bano has illegally and in violation of law demolished a portion of his house and boundary wall with the help of the police and civil administration on 6/8/2007. The house was constructed on the land owned by the petitioner and patta whereof was issued by the Gram Panchayat on 23/2/1990. Even though the petitioner made a representation to the

District Collector on 8/8/2007 to enquire into the matter and take action against the guilty persons also prayed that the petitioner be suitably compensated for the damage, no heed to the representation of the petitioner was paid.

3) Having heard learned counsel for the petitioner and perused the material on record, I find that relief for grant of damages/compensation cannot possibly be allowed in the scope of writ jurisdiction. Proper remedy for such a relief can be availed of by the petitioner only in duly constituted civil suit. In regard to however, alleged action sought against the erring Sarpnch/officials, the petitioner in this regard is free to make a representation to the District Collector which shall be considered by him in accordance with law.

With this observation, the writ petition is dismissed.

(MOHAMMAD RAFIQ), J.

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